



Governor
Douglas A. Ducey

Arizona Board of Psychologist Examiners

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Board Members

Bob Bohanske, Ph.D., FNAP, Chair
Lynn L. Flowers, Ph.D., Vice-Chair
Diana Davis-Wilson, DBH, BCBA, Secretary
Janice K. Brundage, Ph.D.
Bryan Davey, Ph.D., BCBA-D
Matthew Meier, Psy.D.
Ramona N. Mellott, Ph.D.
Tamara Shreeve, MPA

Interim Executive Director
Jennifer Michaelsen, MPA

REGULAR SESSION MINUTES

October 4, 2019
7:45 a.m.

1740 W. Adams St.
Board Room A (1st Floor)
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Dr. Bohanske at 8:33 a.m. on October 4, 2019. Two Executive Sessions were held.

2. ROLL CALL

Board Members Present

Bob Bohanske, Ph.D., FNAP – Chair
Lynn L. Flowers, Ph.D. – Vice-Chair
Diana Davis-Wilson, DBH, BCBA, Ph.D. – Secretary
(joined at 8:34 a.m. by phone, and at 8:36 a.m. in person)
Bryan Davey, Ph.D., BCBA-D
Matthew A. Meier, Psy.D.
Ramona N. Mellott, Ph.D. (by phone at 8:33 a.m.)
Janice K. Brundage, Ph.D.

Board Members Absent

Tamara Shreeve, MPA

Staff Present

Jennifer Michaelsen, Interim Executive Director
Kathy Fowkes, Licensing Specialist
Krishna Poe, Administrative Assistant

Attorney General

Jeanne Galvin, Esq.

3. REMARKS/ANNOUNCEMENTS

- **CE Documentation** – Chairman Bohanske announced that licensees could receive CE credits in Ethics for attendance at Board meetings and explained how to obtain credit.
- **Board Surveys** – Chairman Bohanske encouraged members of the audience to complete a Board meeting Assessment Survey and place them in the survey box.
- **Board Member and Staff Appreciation** – Chairman Bohanske thanked Board members and staff for

their dedication and hard work.

4. CALL TO THE PUBLIC

No one requested to speak.

5. COUNSEL UPDATE

Ms. Galvin reported that John W. DenBoer, Ph.D., license no. PSY-004026, challenged the board's application of A.R.S. § 32-2081(C). The Board prevailed at the Superior Court. Dr. Denboer has filed an appeal to the Court of Appeals. The Board's brief was filed last week. Oral argument will be set and she will keep the Board informed.

Ms. Galvin reported that Dr. Steven R. Gray, Ed.D., license no. PSY-000463, challenged the Board's authority to adjudicate anonymous complaints. The Board prevailed at Superior Court. Dr. Gray has filed an appeal to the Court of Appeals. The Board's brief was filed yesterday. There will be a reply brief and there may or may not be oral argument.

6. CONSENT AGENDA - DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION

Dr. Bohanske asked if any member of the Board would like to remove an item from the Consent Agenda for independent discussion. There were none.

MOTION: Dr. Flowers made a motion, seconded by Dr. Meier, to approve the items on the Consent Agenda.

VOICE VOTE: The motion carried 7-0.

(a) APPROVAL OF MINUTES

- August 9, 2019, Regular Session
- August 9, 2019, Executive Session (8:38 a.m. – 8:45 a.m.)
- August 9, 2019, Executive Session (11:46 a.m. – 11:57 a.m.)

(b) DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS

Requesting Approval to Sit for Examination (EPPP) Only

- 1) Phillip Randall, Ph.D.

Requesting Approval to Sit for Examination (EPPP) & Licensure

- 1) Aveline Vasu Ajalen, Psy.D.
- 2) Barbod Salimi, Ph.D.
- 3) Jeremy Saenz, Ph.D.
- 4) Karen L. Hawk, Psy.D.
- 5) Kristen Ferrara, Psy.D.
- 6) Sarah Yassin, Psy.D.
- 7) Thomas J. Gambrel, Ph.D.

Requesting Approval for Licensure by Waiver

- 1) Jodi L. Tompkins, Psy.D.
- 2) Lauri Mills, Ph.D.

Requesting Approval of Supervised Experience for Licensure

- 1) Jennifer A. Sigler, Ph.D.

- 2) Wendy Koosmann, Ph.D.

Requesting Approval for Licensure by Credential

- 1) Cheryl B. Warner, Ph.D.
- 2) Patrick S. Murphy, Ph.D.

(c) DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- 1) Amanda Sagarian, M.S.
- 2) Junko (Robin) Johnson, M.Ed.
- 3) Lani Giessinger, M.A. (Universal Recognition)

G. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR REACTIVATION OF INACTIVE LICENSE FROM MALLORY YEE, PH.D.

H. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR REACTIVATION OF INACTIVE LICENSE FROM NATHAN HUNTER, PH.D.

I. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST TO RE-TAKE EPPP FROM TEMPORARY LICENSE HOLDER MICAELA REECE-WILLIAMS, PSY.D., TL HOLDER PSY-T-000015

TIMED ITEM – 8:45 a.m.

7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEW OF THE FOLLOWING COMPLAINT

a) Complaint No. T-19-01

Pamela Davis, Psy.D.

Dr. Brundage provided a summary of the complaint, which alleged that Dr. Davis, who is a certified school psychologist and court-appointed advisor, was holding herself out as a licensed psychologist, a violation of ARS § 32-2084(C)(1).

The Complainant was present by phone and requested to speak. She stated that Dr. Davis was appointed by the court as an advisor. The Complainant, her husband and her child were all under the impression that Dr. Davis was a licensed psychologist, but after interaction with her in person the Complainant's family was surprised by the Dr. Davis's behavior in the appointment, and the behavior didn't fit what they expected a psychologist to say or how one would behave in the meeting. The Complainant answered the Board's questions.

Dr. Davis was present, made a statement and answered the Board's questions. Dr. Davis stated that her contract as a court-appointed advisor started in 2011, and the court assigned the Complainant's case to her. Dr. Davis indicated she graduated from Argosy University with a Psy.D. degree in 2010. She added that she is a certified school psychologist and never claimed to be a licensed psychologist.

The Board expressed concern that Dr. Davis presented to the public that she was a licensed psychologist by using the business name, "Children's Psychological Services" and having business cards with that name. Dr. Davis indicated that, upon receiving this complaint, she cancelled the name of her business and corrected the error as soon as she was aware of the issue.

MOTION: Dr. Mellott motioned to dismiss the complaint. Dr. Brundage seconded.

ROLL CALL VOTE: The motion carried 5-2 with Dr. Bohanske and Dr. Meier voting no.

The Board recessed for a break at 9:48 a.m. and returned to open session at 10:00 a.m.

TIMED ITEM – 10:00 a.m.

8. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEW OF THE FOLLOWING COMPLAINT

a) Complaint No. T-19-02

April Tanner

Dr. Flowers provided a summary of the complaint, which alleged unprofessional conduct and title violation. The Complaint Screening Committee was concerned that Ms. Tanner was advertising and providing psychological services in violation of A.R.S. § 32-2084. Ms. Tanner is not licensed to practice psychology in Arizona nor is she licensed in any other profession in Arizona. Ms. Tanner's response states that she is only providing life coaching, not therapy or counseling.

The Complainant was present by phone. She stated she found Ms. Tanner through a Google search and found her listed on Psychology Today's website for psychological services. The name of Ms. Tanner's business, "Footsteps to Serenity & Psychological Services" also mislead the Complainant to believe Ms. Tanner was a licensed psychologist. During the session, Ms. Tanner recommended medications the Complainant should consider taking and talked about herself through most of the session. The Complainant stated that after this session, Ms. Tanner harassed her for payment via text and phone calls. Ms. Tanner opted to cancel the contract and charged her additional \$300.00 after Complainant had already paid Ms. Tanner \$150.00. The complainant complained to the Better Business Bureau (BBB), and Ms. Tanner violated confidentiality by telling the BBB that the complainant was mentally ill. The Complainant stated that her interaction with Ms. Tanner was traumatic and predatory.

Ms. Tanner was present, made a statement and answered the Board's questions. She stated the Complainant came to her for an intake session to find out her needs. Ms. Tanner stated she engaged in "motivational interviewing" with the Complainant. She stated her advertising states she is a life coach and that she is not licensed.

Dr. Flowers asked Ms. Tanner about the BBB and disclosure of confidential information. Ms. Tanner denied that she disclosed confidential information to the BBB, but after questioning, indicated that in fact she did. Ms. Tanner stated that she told the BBB the client was "coming after me" because of financial reasons. Ms. Tanner denied charging the Complainant for future sessions.

The Board reviewed the types of mental health conditions she listed on her website that she treats. Dr. Flowers stated that these conditions do not appear to be in the realm of practice for a life coach. Ms. Tanner stated that she does a referral service, and provides resources to the community. She stated if she cannot help with coping skills, de-escalation, and being a good support system for them, then she helps refer them out to someone who can better meet their needs. Dr. Flowers stated that Ms. Tanner's website states she provides psychological services. Ms. Tanner denied that she provides psychological services, stating she refers people out for psychological services. Dr. Flowers stated that was not clear on her website. Dr. Flowers pointed out that her informed consent states it is for psychotherapy and life coaching. Ms. Tanner stated she only provides life coaching and refers out for psychotherapy. Dr. Flowers asked if she was still making use of office space in Avondale. She stated no, it was closed.

Dr. Brundage reviewed the list of Ms. Tanner's stated memberships, to include the ACA, APA, and SAMHSA. Dr. Brundage asked her what her qualifications are because she does not understand how Ms. Tanner can be involved with those memberships with the credentials she is claiming to have. Ms. Tanner stated she has a master's degree from University of Phoenix in mental health and clinical counseling and a master's in psychology, and then she paid the membership fees. Dr. Brundage asked Ms. Tanner why she was not licensed by the Arizona Board of Behavioral Health Examiners (BBHE). Ms. Tanner stated she did not pass the exam

and will have to take it again.

Dr. Meier asked if Ms. Tanner was receiving supervision from anyone. She stated she was not because she does not have a license. Dr. Meier asked if Ms. Tanner has submitted her application to BBHE. She stated she has not because she has to take the exam. Dr. Meier asked about the piece of paper submitted by the complainant to the Board listing two medications that she should look into, and asked Ms. Tanner if she wrote it. Ms. Tanner denied writing the medications.

Dr. Davey noted that Ms. Tanner's website does not state anything regarding referrals. Dr. Davey also noted that the website stated Ms. Tanner's Licensed Associate Counselor (LAC) is "pending" and asked Ms. Tanner if the use of this was acceptable, and approved by BBHE because pending means she is in some state of the process for obtaining licensure, but by her own testimony she has not begun the process and has not passed the exam or obtained supervision. Ms. Tanner stated that listing her LAC as pending was meant to be an aspiration of her goals and did not realize the sensitivity of the terminology. She has not yet applied for her LAC.

Dr. Brundage asked for confirmation that Ms. Tanner moved out of state, which Ms. Tanner confirmed. Dr. Brundage asked if she had any client base in Arizona who she might reach out to regarding telehealth. Ms. Tanner stated she closed her practice completely. She stated she updated her website and adjusted the terminology so it states clearly that she is doing only life coaching and does not say psychology. Ms. Galvin asked why she still had a website if she has shut down her business. Ms. Tanner stated that she has been in a relocation process so hasn't had time.

Dr. Bohanske referenced a page in the record on Ms. Tanner's letterhead that listed two medications, and asked Ms. Tanner if she gave this to the complainant. Dr. Bohanske asked if she discussed two medications and asked if that was her writing. Ms. Tanner stated the complainant was discussing her medications with Ms. Tanner. She was telling Ms. Tanner and Ms. Tanner was taking notes. Dr. Bohanske asked Ms. Tanner if she took a degree in life coaching or belonged to an association of life coaches, to which Ms. Tanner answered no. Dr. Bohanske asked Ms. Tanner if she was a member of APA, to which she answered yes, at a master's level. Dr. Bohanske stated that there is no master's level membership; was she a student member, to which she answered yes.

The Board asked what it meant, listing herself on her website as a member of SAMHSA (Substance Abuse and Mental Health Services Administration) on her website. She stated she had applied to SAMHSA to gain information from SAMHSA to learn more about their program. Dr. Bohanske asked if her registration through SAMHSA means she sent them a request for literature. Ms. Tanner answered, "No, you pay a fee to become a member of them." Dr. Bohanske stated there is no membership, it is a federal entity or agency that provides education materials to professionals. Ms. Tanner said she has membership numbers for all the entities listed and they can be verified. Dr. Bohanske asked if she was a member of the American Counseling Association and if she subscribed to their code of ethics, to which she answered yes. She also stated it was for a learning process, to which Dr. Bohanske stated the learning should have been done in school during two master's degree programs. Dr. Bohanske stated she was attempting to learn in practice at the expense of clients. Ms. Tanner said she didn't practice, she did an intake. Dr. Bohanske stated there was no difference between intake, practice, treatment planning and services. As soon as you sit down with a client, you are providing a service. Intake is not something that is separate and apart from psychological services, therapeutic services, or counseling. That's something taught in school.

Dr. Brundage asked when she planned to cancel her website. Ms. Tanner stated she would cancel it when her billing cycle comes around. Dr. Brundage stated that the concern is that the public is still at risk because she continues to have an online presence. Dr. Brundage stated she needs to take everything down, not just her own website but the Psychology Today profile. Dr. Flowers noted that Board staff recently went to the Avondale location and documented that Ms. Tanner still has a presence there.

The Board expressed concern that her business cards were still available at the Avondale address and the information on her website still available. The Board expressed concern regarding Ms. Tanner's inconsistency in responses and moving forward with making the necessary changes. The Board expressed grave concern that

Ms. Tanner's business practices are a clear violation, are fraudulent, and the evidence would suggest she is also practicing medicine. She has advertised for services she is not eligible to provide. Additionally, the Board noted that "pending" licensure by definition means the individual is awaiting a decision after submitting an application, and cannot be defined as a future goal to apply for licensure. The Board noted that the evidence demonstrates at least a dozen ethical violations of standards of the ACA and APA of which she claims to be a member, and ACA and at least half a dozen standards in the life coaching area.

MOTION: Dr. Flowers moved to issue Ms. Tanner a Cease and Desist Order for violations of A.R.S. § 32-2084(A) and A.R.S. § 32-2084(C), for fraudulently providing psychological services and advertising for psychological services, and for continuing to misrepresent her credentials and licensure status or process after the complaint was brought to her attention. Dr. Brundage seconded.

ROLL CALL VOTE: The motion carried 7-0.

The Board directed staff to forward a copy of the Cease and Desist Order to BBHE.

TIMED ITEM – 11:00 a.m.

9. CONTINUED INFORMAL INTERVIEW MARK MAGIER, PSY.D. – COMPLAINT NO. 18-33: DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE RESULTS OF THE FITNESS FOR DUTY EVALUATION AND POSSIBLE ADJUDICATION OF THE SAME

Dr. Brundage provided a summary of the complaint, which stems from court-ordered psychotherapy. The complaint alleged unprofessional conduct including failure to maintain adequate records, failure to respond to court and clients, confidentiality issues, providing unnecessary services and harassment of the complainant. Dr. Magier was required to undergo an evaluation for fitness for duty and the results have been received by the Board.

The Complainant was not present. Dr. Magier was present with attorney, Charles Hover, Esq., and was sworn in by the Board Chair. Mr. Hover made a statement to the Board.

At 11:08 a.m., Dr. Brundage made a motion, seconded by Dr. Meier, to go into Executive Session to review confidential medical records. The motion carried 7-0. Open session reconvened at 11:23 a.m.

FIRST MOTION: Dr. Brundage moved to find Dr. Magier in compliance with the interim consent agreement 18-33 and moved to terminate the interim consent agreement. Dr. Bohanske seconded.

VOICE VOTE: The motion carried unanimously.

SECOND MOTION: Dr. Bohanske moved to consolidate case 18-33 with case 18-08 to continue the terms of the Consent Agreement including compliance with court orders, requests, record keeping, and confidentiality issues. Dr. Brundage seconded.

VOICE VOTE: The motion carried unanimously.

The Board took a lunch break at 12:00 p.m. and resumed at 1:15 p.m.

TIMED ITEM – 1:15 p.m.

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE AS A PSYCHOLOGIST AFTER A PASSING SCORE ON EPPP FROM TYLER T. WHITNEY, PSY.D.

Dr. Bohanske provided a summary of the application. Dr. Whitney has held a psychologist license in three other states, all of which have issued disciplinary actions to Dr. Whitney. Dr. Whitney voluntarily surrendered his

license in Idaho following a Blue Cross Blue Shield audited, which suggested a number of irregular billing issues. Dr. Whitney denied any irregularities but surrendered his license while it was under investigation. Dr. Whitney failed to report the Idaho surrender to the Utah and Georgia licensing Boards on renewals of these two licenses. Additionally, it appears that Dr. Whitney did not report the open complaint and investigation taking place in Idaho to the Georgia Board while his application was in process in Georgia. The Georgia Board suspended Dr. Whitney's license for 90 days. When the suspension was lifted, his license was placed on probation for a year. This probation was recently lifted and his Georgia license is now active. Dr. Whitney recently passed the EPPP under Arizona's jurisdiction and now is requesting approval for licensure in Arizona.

Dr. Whitney was present by phone and made a statement to the Board. When this initially happened in Idaho, Dr. Whitney was given poor legal advice from an attorney because he knew Dr. Whitney was moving to Georgia. The Idaho license did not have action against it when he applied to the Georgia Board. He does not take insurance and does not plan to take insurance, Dr. Whitney stated that he did not understand the ramifications of surrendering his license.

Dr. Brundage asked Dr. Whitney why he failed to report the Idaho action to Utah and Georgia. Dr. Whitney stated that it was his own ignorance in trying to run from the situation and upon his attorney's advice, he thought just going to Georgia to practice would be the end of it. Dr. Whitney added that it was a really bad decision, and was followed by his failure to report the action on his renewals in Utah and Georgia. Dr. Whitney stated he did a good job closing up his practice, but that his weakness was in administration and didn't follow up on the license-related things and didn't know the law. He stated he has changed and has taken many ethics courses and now knows the laws inside and out. He states clinically he is sound, but administratively he had a problem. He stated he was blindsided and very ignorant of this process. Dr. Whitney added that he has been retrained and has spent a lot of time and resources to make this right.

MOTION: Dr. Flowers moved for approval of the application for licensure. There was no second.

At 1:35 p.m., Dr. Brundage made a motion, seconded by Dr. Meier, to go into Executive Session to obtain confidential legal advice. The motion carried 7-0. Open session reconvened at 1:43 p.m.

Dr. Mellott left the meeting at 1:35 p.m.

MOTION: Dr. Brundage moved to deny the application based on A.R.S. § 32-2071.01(A)(3), (4), and (5), based upon Dr. Whitney's license surrender in Idaho and disciplinary actions in Utah and Georgia. Dr. Meier seconded.

ROLL CALL VOTE: The Motion carried 4-2 with Dr. Flowers and Dr. Davis-Wilson voting no.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATIONS FOR LICENSURE BY UNIVERSAL RECOGNITION – Dr. Mellott

a. Jennifer Elaine Jepson, Psy.D.

Dr. Mellott reviewed the application. The Board found that Dr. Jepson's meets all the criteria for licensure.

MOTION: Dr. Meier moved to approve the application. Dr. Mellott seconded.

VOICE VOTE: The motion carried 7-0.

b. John Robert Corbett, Ph.D.

Dr. Mellott reviewed the application. Dr. Mellott brought to the Board's attention that the EPPP score provided on the verification of licensure from Vermont, which Dr. Corbett passed in 1989, appeared to be below what the Board would require through the standard path to licensure. Dr. Bohanske stated that the

pass score when Dr. Corbett passed the EPPP was different than what is currently acceptable. Dr. Brundage asked Ms. Galvin's interpretation. Ms. Galvin stated that Dr. Corbett meets the requirements for Universal Recognition as Dr. Corbett passed the EPPP and has a license in Vermont in good standing for a year or more. The Board found that Dr. Corbett's application meets all the criteria for licensure.

MOTION: Dr. Mellott moved to approve the application. Dr. Brundage seconded.

VOICE VOTE: The motion carried 7-0.

c. Nanako Negome-Kapur, Psy.D.

Dr. Mellott reviewed the application. The Board found that Dr. Negome-Kapur's application meets all the criteria for licensure.

MOTION: Dr. Mellott moved to approve the application. Dr. Flowers seconded.

VOICE VOTE: The motion carried 7-0.

12. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR EPPP ONLY FROM NICOLE BURR, PSY.D.

Dr. Bohanske recused from reviewing this application. Dr. Flowers reviewed the application.

MOTION: Dr. Flowers moved to approve the application for EPPP only. Dr. Meier seconded.

VOICE VOTE: The motion carried 6-0 with Dr. Bohanske recusing.

13. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR LICENSURE BY WAIVER FROM NICK BARNECLO, PH.D.

Dr. Barnclo was present by phone. Dr. Mellott reviewed the application for licensure by waiver. After review, the Board determined that the materials submitted met requirements in statute and rule. Dr. Barnclo's school psychology license was surrendered in lieu of completing the continuing education requirement. It appears Dr. Barnclo did not understand the significance of this decision. The Board expressed concern that the same situation does not happen again and to make sure that Dr. Barnclo was apprised of the need to keep the Board informed of any change of address and to follow the continuing education rules.

MOTION: Dr. Mellott move to approve the application. Dr. Meier seconded.

VOICE VOTE: The motion carried 7-0.

14. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PSYCHOLOGIST RE-APPLICATION TO SIT FOR EPPP AND LICENSURE FROM AMY PROSSER, PH.D. – Dr. Flowers

Dr. Mellott recused from reviewing this application. Dr. Flowers summarized the application. Upon review, the Board determined that the materials submitted met all requirements in statute and rule.

MOTION: Dr. Flowers moved to approve the application to sit for EPPP and licensure upon a passing score. Dr. Brundage seconded.

VOICE VOTE: The motion carried 6-0 with Dr. Mellott recusing.

15. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR EXAM & LICENSURE FROM BETH LAVIN, PH.D. – Dr. Mellott

Dr. Mellott summarized this application. Dr. Lavin's education included re-specialization, which is not included in APA accreditation. Dr. Lavin completed the core program requirements form, and all submitted materials,

including her education and core program requirements, appear to meet requirements in statute and rule.

MOTION: Dr. Mellott moved to approve the application to sit for EPPP and licensure upon a passing score. Dr. Flowers seconded.

VOICE VOTE: The motion carried 7-0.

16. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING INFORMATION RECEIVED FROM THE NATIONAL PRACTITIONER DATA BANK (NPDB) ON DR. MICHAEL EPSTEIN, PH.D. – Ms. Michaelsen

Ms. Michaelsen provided a summary of the matter, stating that she received a notification from NPDB last month that the Navy's Bureau of Medicine and Surgery had filed an adverse action report against Dr. Epstein, which indicated that his clinical privileges had been revoked in 2018 on the basis of sexual misconduct. Ms. Michaelsen indicated that the Board may want to considering opening a complaint for further investigation.

MOTION: Dr. Bohanske moved to open a complaint regarding the information contained in the NPDB Report. Dr. Brundage seconded.

VOICE VOTE: The motion carried unanimously.

17. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING IMPLEMENTATION OF THE ENHANCED EPPP – Dr. Bohanske

Dr. Bohanske indicated that the Board has not set a firm date for early adoption of the EPPP. He stated that the the knowledge portion will be taken right after finishing coursework and that the skills exam would be taken after the applicant finishes their internship. Dr. Bohanske discussed that the Board needs to determine the cut off point for accepting applications for the old EPPP and the new EPPP. The Board directed staff to create a calendar of tentative dates for the December meeting. The Board took no action.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING VERBIAGE FOR NO. 10 ON POSTDOCTORAL PROFESSIONAL SUPERVISED EXPERIENCE VERIFICATION FORM

The Board discussed the verbiage for question 10 on the postdoctoral experience verification form, acknowledging that the double negative in the current verbiage is an issue. Dr. Flowers suggested the following: #10. "Was at least 50% of face-to-face supervision completed in person? If no, what percentage of confidential real-time etc. was used for supervision?". The Board discussed this possibility but decided not to take any action at this time.

19. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PROPOSED RULES APPROVED BY THE COMMITTEE ON BEHAVIOR ANALYSTS – Ms. Michaelsen

Ms. Michaelsen provided a summary and requested the Board's approval of the drafted rules on Behavior Analysts so that she can proceed with asking the Governor for an exemption to the rule-making moratorium.

MOTION: Dr. Davis-Wilson moved to forward the rule changes to the Governor's office to obtain an exemption to make rule changes. Dr. Davey seconded.

VOICE VOTE: The motion carried unanimously.

20. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING POSSIBLE STATUTE CHANGES FOR BEHAVIOR ANALYSTS INCLUDING BUT NOT LIMITED TO EXEMPTIONS FROM LICENSURE AND REMOTE SUPERVISION – Dr. Davis-Wilson

Dr. Davis-Wilson updated the Board regarding possible statute changes discussed by the Committee on

Behavior Analysts (CBA) at their last meeting. Dr. Davis-Wilson stated that the CBA has noted an increase in the number of behavior analyst applicants and supervisors who have erroneously assumed that the location of supervision is where the supervisor is located, not where the supervisee is located. Dr. Davis-Wilson indicated that the language provided in the memo is something that the CBA would like for the Board to consider changing to A.R.S. § 32-2091.03. Dr. Davis-Wilson indicated that the CBA believes that changing this language in the statute would assist in clarifying that the supervision takes place where the supervisee's services are taking place.

MOTION: Dr. Bohanske moved to authorize the interim executive director to begin the process to make statute changes for behavior analysts. Dr. Davis-Wilson seconded.

VOICE VOTE: The motion carried unanimously.

21. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING THE DECEMBER BOARD MEETING DATE – Ms. Michaelson

Ms. Michaelson provided a summary of the issue. Dr. Mellott informed staff that ASU's graduation date is on December 12, 2019, which is the same date as the Board meeting, so staff wanted to determine if there would be quorum for the meeting. Dr. Mellott indicated she would be calling in by phone for the December 12th Board meeting. The Board determined that there would be quorum on this date.

22. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION SUBMITTED BY PHILLIP G. GABLE, PH.D. – Ms. Poe

Dr. Gable was present by phone. Ms. Poe provided a summary of the matter, stating that Dr. Gable answered yes to two of the background questions, number 7 and 8, on his renewal application. Dr. Gable answered the Board's questions regarding the circumstances that led to his clinical privileges being revoked by his employer, the Department of Army, and the subsequent reinstatement of clinical privileges.

MOTION: Dr. Meier moved to grant Dr. Gable's renewal application. Dr. Brundage seconded.

VOICE VOTE: Motion carried unanimously.

23. NEW AGENDA ITEMS FOR FUTURE MEETINGS

There were no new items for future meetings.

24. ADJOURNMENT

There being no further business to come before the Board, Dr. Meier made a motion, seconded by Dr. Flowers, to adjourn the meeting at 1:50 p.m. The motion carried 6-0.

Respectfully submitted,

Diana Davis-Wilson, DBH, BCBA
Secretary